

1645

• TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
3153.00162

In Re Application Of: Kendall Wayne King, et al.

Serial No.	Filing Date	Examiner	Group Art Unit
09/676,249	09/29/2000	Swartz, Rodney P.	1645

Title: NUCLEIC ACIDS AND PROTEINS OF THE MYCOPLASMA HYOPENUMONIAE MHP3 GENE AND

USES THEREOF

FEB 17 2004

Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

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37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
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Examiner

Swartz, Rodney P.

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1645

NUCLEIC ACIDS AND PROTEINS OF THE MYCOPLASMA HYOPENUMONIAE MHP3 GENE

OPI
USES THEREOF

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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 11-1449 as described below. A duplicate copy of this sheet is enclosed.

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Signature of Person Mailing Correspondence

Marie M. DeWitt

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Kenneth I. Kohn
Kenneth I. Kohn

Kohn & Associates, PLLC

30500 Northwestern Hwy.

Suite 410

Farmington Hills, Michigan 48334

(248) 539-5050

cc:

Dated: February 18, 2004

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
3153.00162

In Re Application Of: **Kendall Wayne King, et al.**

Serial No.
09/676,249

Filing Date
09/29/2000

Examiner
Swartz, Rodney P.

Group Art Unit
1645

Invention: **NUCLEIC ACIDS AND PROTEINS OF THE MYCOPLASMA HYOPNEUMONIAE MHP3 GENE AND**

USES THEREOF

FEB 17 2004

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

FEB 20 2004

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



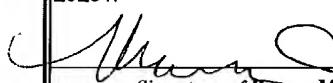
Signature

Kenneth I. Kohn
Kohn & Associates, PLLC
30500 Northwestern Hwy.
Suite 410
Farmington Hills, Michigan 48334
(248) 539-5050

Dated: February 20, 2004

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MANUAL OF PATENT EXAMINING PROCEDURE

PTO/SB/08 (2-92)

Sheet 1 of 1

Form PTO-1449		Docket Number (Optional) 3153.00162		Application Number 09/676,249			
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant Kendall Wayne King, et al.					
<i>(Use several sheets if necessary)</i>		Filing Date 09/29/2000		Group Art Unit 1645			
U. S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS						TRANSLATION	
	DOCKET NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
	WO 96/28472						
	WO 90/15066						
	11286499 A		Japan				
	4-503454						
	WO 99/10375						
	2001-51986						
	0 768 382 A2						
	9-107954						
	WO 89/08143						
	2-503269						
	4-507043						
	WO 90/10085						
	11-501809						
OTHER DOCUMENTS <i>(Including Author, Title, Date Pertinent Pages, Etc.)</i>							
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							